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**REMARKS**

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1, 3, and 5 are currently being amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-11 are now pending in this application.

**Claim Rejections – 35 U.S.C. § 102 (b)**

Claims 1-2, 4-7 were rejected under § 102 (b) as being anticipated by U.S. Patent No. 5,666,151 by Kondo et al. Applicant respectfully traverses the Examiner's assertion and submits that the Kondo reference does not anticipate or render obvious that which is claimed in the present claims.

**Independent Claim 1**

Claim 1 was rejected under § 102 (b) as being anticipated by U.S. Patent No. 5,666,151 by Kondo et al. Kondo does not teach or suggest Claim 1 because Kondo does not teach or suggest "a method of indicating program selections in a passenger entertainment system including...[i] retrieving a system configuration having a plurality of variable configuration data points, wherein the plurality of variable configuration data points are selectable from the following: number of media file servers, number of video cassette players, and number of RF channels; [ii] assigning a program channel to each of the program selections available to the passenger; ...[iii] transmitting the program channel assignment information to the seat controller

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unit; and [iv] displaying on the passenger control unit the program channel corresponding to a program selection carried on the allocated one of the RF channels, and displaying on the passenger control unit the program channel corresponding to another program selection carried on the allocated one of the RF channels in response to a change in the program selection using the passenger control unit.”

First, in connection with the “retrieving a system configuration” limitation of independent claim 1, Kondo does not teach or suggest this aspect of claim 1. The entertainment system as taught in the present claim includes a configuration system database, wherein the database stores data relating to the hardware configuration of the aircraft, which includes the number of media file servers, the number of video cassette players, and the number of RF channels available in the entertainment system. The data relating to the hardware configuration may vary depending on the size of the aircraft, the amount of passenger seating, etc. (Specification, p. 6, 8-9.) Contrarily, the system disclosed in Kondo does not teach or suggest retrieving a system configuration having variable configuration data points such as the number of RF channels, as taught in claim 1. Particularly, Kondo teaches a system having “twenty digital video signal providers ... and one analog video signal provider,” wherein the system can be configured “to increase the number of the analog video signal providers and to reduce the number of the digital video signal providers ... so that the total number of [the video] signal providers remains 21.” (Kondo, col. 5, lines 20-25.) Kondo discloses a fixed number of digital video signal providers, not a variable configuration of available RF channels as taught in claim 1. (Specification, p. 8.)

Additionally, Kondo does not teach or suggest retrieving the number of media file servers or the number of video cassette players in the entertainment system. Kondo teaches a system having a total of twenty-one video signal providers. The first limitation of claim 1 requires a “plurality of variable configuration data points, wherein the plurality of variable configuration data points are selectable from the following: number of media file servers, number of video cassette players, and number of RF channels,” not simply a single set of digital and analog video outputs as taught in Kondo. (See col. 4, lines 5-44 of Kondo.) Therefore, Kondo does not teach

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or suggest the “retrieving a system configuration” limitation, as set out in combination with the other steps of independent claim 1, and thus does not anticipate claim 1.

Secondly, in connection with the “assigning a program channel to each of the program selections” limitation of independent claim 1, it appears the Examiner’s position is that Kondo teaches this aspect of claim 1. Kondo teaches a system of digital data multiplexing, wherein the digital video signal provider includes four video signals, a1 to a4, which are multiplexed and modulated to a single signal c1. However, the first limitation of claim 1 requires assigning the program channels to the media files stored at the media file server (Specification, p. 10 ), not data multiplexing as taught in Kondo. (See col. 4, lines 11-29 of Kondo.) The “program channels,” as taught in the present claim, are associated with a corresponding media file, which Kondo does not teach or suggest.

Thirdly, in connection with claim 1, the Applicant has amended the claim to include a step of “transmitting the program channel assignment information to the seat controller unit.” The Applicant submits that Kondo does not teach or suggest this additional aspect of claim 1. This limitation requires that after the program channel assignment information is stored in a database, the program channel assignment information is transmitted to the passenger seats and stored in memory of the corresponding seat controller unit. (Specification, p. 10-11.) None of the teachings in Kondo teach or suggest such a limitation, as taught in claim 1. Therefore, claim 1 is allowable over the Kondo reference.

Lastly, in connection with the “displaying on the passenger control unit the program channel corresponding to a program selection” limitation, it appears the Examiner’s position is that Kondo also teaches this aspect of claim 1. Kondo teaches a system for providing a video signal to a liquid crystal monitor to display the video image. However, this limitation of claim 1 requires that the system “display[] *on the passenger control unit* the program channel” for programming content displayed on that channel” (emphasis added). (See Specification, p. 13, para. 2; Figure 9.) The system in Kondo does not teach or suggest such a step of displaying the program channel on the passenger control unit display. Therefore, Kondo does not teach or

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suggest this limitation, as set out in combination with the other steps of independent claim 1, and thus does not anticipate claim 1.

Dependent claims 2-11 incorporate by reference the limitations of independent claim 1, and are therefore allowable for the same reasons that claim 1 is allowable. Additionally, the applicant respectfully submits that the previously presented dependent claims recite additional novel and non-obvious features which are not taught or suggested by Kondo.

#### **Claim Rejections – 35 U.S.C. § 103 (a)**

Claims 3, 8-11 were rejected under § 103 (a) as being obvious by U.S. Patent No. 5,666,151 by Kondo et al., in view of U.S. Patent No. 6,499,027 by Weinberger. Applicant respectfully submits that neither reference, alone or in combination, renders obvious that which is claimed in the present claims.

#### **Dependent Claim 3**

Claim 3 was rejected under § 103 (a) as being obvious by U.S. Patent No. 5,666,151 by Kondo et al., in view of U.S. Patent No. 6,499,027 by Weinberger. Neither Kondo nor Weinberger teaches or suggests claim 3 because neither reference teaches or suggests a method wherein “a current program selection is displayed on the passenger control unit in response to an up channel selection and a program channel that is previous in sequence to the program channel corresponding to the current program selection is displayed on the passenger control unit in response to a down channel selection.”

Kondo and Weinberger do not teach or suggest a method wherein the “program selection is displayed on the passenger control unit,” as set forth in claim 3. Kondo teaches a system for providing a video signal to a liquid crystal monitor to display a video image. Weinberger teaches a method of controlling a passenger entertainment system, including a passenger control unit for providing channel and volume selection. However, the present limitation of claim 3 requires that the system “display[] *on the passenger control unit*” the current program selection in response to

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using the up/down channel selection buttons on the passenger control unit. The system in Kondo and method in Weinberger do not teach or suggest such a step as in dependent claim 3, and thus claim 3 is not rendered obvious.

### **Dependent Claims 8-11**

Dependent claims 8-11 incorporate by reference the limitations of independent claim 1, and are therefore allowable for the same reasons that claim 1 is allowable. The Applicant submits that if the method of claim 1 (i.e., "a method of indicating program selections in a passenger entertainment system") is novel and non-obvious, the claims that depend therefrom are also novel and non-obvious. Therefore, the Applicant respectfully traverses the Examiner's assertion that dependent claims 8-11 are known in the art of video distribution and request that the Examiner support the finding of official notice, with regard to dependent claims 8-11, as each claim incorporates the steps of independent claim 1. Otherwise, dependent claims 8-11 are not rendered obvious and are allowable. Additionally, Applicant respectfully submits that the previously presented dependent claims recite additional novel and non-obvious features which are not taught or suggested by the reference.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

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The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 18-1722. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 18-1722.

Respectfully submitted,

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